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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

JENNIFER BENTLEY, as trustee of the
2001 Bentley Family Trust, and others
similarly situated.

Plaintiffs,

v.

UNITED OF OMAHA LIFE
INSURANCE COMPANY; and DOES 1
TO 50, inclusive,

Defendants.

No. 15-cv-07870-DMG (AJWx)

**DECLARATION OF JOHN P.
BJORK IN SUPPORT OF
PLAINTIFF'S MOTION FOR
CLASS CERTIFICATION**

Hearing Date: March 30, 2018
Time: 9:30 a.m.
Judge: Hon. Dolly M. Gee
Courtroom: 8c

DECLARATION OF JOHN P. BJORK

I, John P. Bjork, declare as follows:

1. I am an attorney at the law firm of Vanek Vickers & Masini.

2. Among other jurisdictions, I am licensed in Illinois and Massachusetts, and I am admitted *pro hac vice* on behalf Plaintiff Jennifer Bentley (“Plaintiff”) in this matter.

3. I make this declaration in connection with Plaintiff’s Motion for Class Certification (“Motion”).

4. I have personal knowledge of the facts declared herein.

5. On or around October 14, 2016 and March 23, 2017 respectively, Plaintiff served her First and Second Sets of Interrogatories and Requests for Production (“Written Discovery”) on Defendant United of Omaha Life Insurance Company (“Defendant”).

6. In response to Plaintiff’s Written Discovery, Defendant produced the \$1 million term life insurance policy Defendant issued to Plaintiff’s husband, Mr. Eric Bentley (“Policy”). A true and accurate copy of the Policy produced by Defendant is attached hereto as “**Exhibit A**”.

7. Plaintiff alleges the Policy was wrongfully terminated on or around October 28, 2014. A true and accurate copy the Policy termination letter attached to Plaintiff’s complaint in support of this claim is attached as “**Exhibit B**”

8. As part of the development of her claims in this case, on December 13, 2017, Plaintiff’s counsel conducted Rule 30(b)(6) corporate depositions of Defendant witnesses Mr. Dennis Kallenbach, (Senior Systems Business Consultant) and Ms. Kimberly Meyerring (Product and Advertising Compliance Consultant). True and accurate copies of the transcribed testimony of Mr. Kallenbach and Ms. Meyerring which Plaintiff is relying on in her Motion are attached hereto as “**Exhibit C**” and

1 **“Exhibit D”.**

2 9. For the purpose of establishing her bad faith claims, Plaintiff issued
3 subpoenas to life insurers to determine how they interpreted the applicability of the
4 California Insurance Code sections 10113.71 and 10113.72 (“Statutes”) to renewals
5 and what actions they took to comply with the Statutes. A true and accurate copy of a
6 declaration provided by insurer Northwestern Mutual Insurance in response to
7 Plaintiff’s subpoena is attached hereto as **“Exhibit E”**.

8 10. In response to Plaintiff’s Written Discovery - in particular RFP and
9 Interrogatories seeking the identity class members – Defendant provided Plaintiff
10 with multiple lists reflecting, among other things, the number and identities of
11 putative class members as well as their locations. A true and accurate copy of these
12 lists are attached hereto as **“Exhibit F”**.

13 11. In support of her Motion, Plaintiff has attested to the facts in a
14 declaration, a true and accurate copy of which, is attached hereto as **“Exhibit G”**.

15 12. In connection with Plaintiff’s Motion, Plaintiff’s counsel prepared an
16 exhibit detailing their experience and qualifications, a true and accurate copy of which
17 is attached hereto as **“Exhibit H”**.

18 13. Prior to the deposition of Plaintiff in this case by Defendant, Defendant
19 issued subpoenas to lawyers involved in Plaintiff’s divorce proceedings, true and
20 accurate copies of which are attached hereto as **“Exhibit I”**.

21 14. I declare under the penalty of perjury that the foregoing statements are
22 true and correct to the best of my knowledge.

23
24 Executed on February 2, 2018

25 /s/ John P. Bjork

26 JOHN P. BJORK
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